

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ABRAHAM G. PINZON,

Plaintiff,

v.

MICHAEL LEOZ, et al.,

Defendants.

Case No. 1:22-cv-01469-BAM

ORDER TRANSFERRING CASE TO THE
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff Abraham G. Pinzon, proceeding *pro se*, has filed this civil action against (1) Michael Leoz, Pacific Regional Manager, U.S. Health and Human Services, San Francisco, California; (2) California Department of Health Care Services in Sacramento, California; and (3) Mendocino County Health and Human Services Agency. (Doc. 1.) Plaintiff appears to claim that he has new evidence in support of his prior claims brought in the United States District Court, Northern District of California. (*Id.* at 18; Exhibit 1.) Additionally, Plaintiff include allegations regarding events arising in Ft. Bragg, California. (*Id.* at 7.)

The federal venue statute requires that a civil action be brought only in “(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

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1 In this case, the defendants do not reside in the Fresno Division of the Eastern District of
2 California, the events at issue apparently occurred in Mendocino County, which is in the Northern
3 District of California, and Plaintiff's allegations relate to a previous matter filed in the Northern
4 District of California. Therefore, the Court finds that Plaintiff's claim should have been filed in
5 the United States District Court for the Northern District of California. In the interest of justice, a
6 federal court may transfer a complaint filed in the wrong district to the correct district. *See* 28
7 U.S.C. § 1406(a).

8 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States
9 District Court for the Northern District of California.

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11 IT IS SO ORDERED.

12 Dated: November 15, 2022

/s/ Barbara A. McAuliffe
13 UNITED STATES MAGISTRATE JUDGE
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